

STATE OF GEORGIA

CITY OF STOCKBRIDGE

ORDINANCE NO. OR16-423

AN ORDINANCE TO ANNEX CERTAIN PROPERTY INTO THE CITY OF STOCKBRIDGE AND TO AMEND THE OFFICIAL ZONING MAP, CITY OF STOCKBRIDGE, GEORGIA, AS AMENDED; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the governing authority of the City of Stockbridge is the Mayor and Council thereof;

WHEREAS, the governing authority of the City of Stockbridge, Georgia desires to annex certain property into the City and to modify the zoning designation of certain property located within the City; and,

WHEREAS, the health, safety, and welfare of the citizens of Stockbridge, Georgia, will be positively impacted by the adoption of this Ordinance.

NOW THEREFORE, THE COUNCIL OF THE CITY OF STOCKBRIDGE HEREBY ORDAINS:

Section 1. The property described in Exhibit "A" (the "Property"), a copy of which is attached hereto and incorporated herein by reference, is hereby annexed into the City of Stockbridge, Georgia pursuant to the authority of O.C.G.A. Sections 36-36-1 *et seq.* and 36-36-90 *et seq.*

Section 2. The property described in Exhibit "A," a copy of which is attached hereto and incorporated herein by reference, is hereby rezoned to PTD (Planned Town Development) (City of Stockbridge's Classification) with conditions, such rezoning to be noted on the City of Stockbridge Official Zoning Map approved by Mayor and Council as soon as reasonably possible following adoption of this Ordinance by the Zoning Administrator along with an editorial note on the City of Stockbridge Official Zoning Map approved by Mayor and Council specifying the parcel(s) affected by this Ordinance and the date of adoption of this Ordinance. Until the rezoning is indicated on the City of Stockbridge Official Zoning Map approved by Mayor and Council, this Ordinance shall govern over the City of Stockbridge Official Zoning Map approved by Mayor and Council to the extent of any discrepancy between this Ordinance and the City of Stockbridge Official Zoning Map approved by Mayor and Council. Such rezoning shall be conditioned on the following:

1. The Property shall be developed in substantial accordance with the site plan shown in Exhibit "B," a copy of which is attached hereto and incorporated herein by reference.
2. The signs shown on Exhibit "C," a copy of which is attached hereto and incorporated herein by reference, are hereby approved.
3. The building plans and specifications attached hereto as Exhibit "D" are hereby approved subject to the provisions of the Stockbridge Municipal Code.
4. No additional permits or plans for any development of any portion of the Property shall be approved by the City until such time as a development agreement encumbering the specific portion of the Property for which development is proposed is entered into between the owners and/or developers of the Property and the City.

Section 3. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 4. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.


Section 5. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 6. Penalties in effect for violations of the Zoning Ordinance of the City of Stockbridge at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

Section 7. The effective date of this Ordinance shall be the date of adoption unless otherwise specified herein.

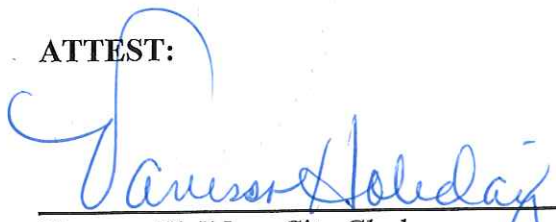
ORDAINED this 16th day of December, 2016.

CITY OF STOCKBRIDGE, GEORGIA




Judy Neal, Mayor

ATTEST:



Vanessa Holiday, City Clerk

APPROVED AS TO FORM:



Michael Williams, City Attorney

Date Presented to Mayor: 12-19-2016

Date Received from Mayor: 12-20-2016

EXHIBIT "A"

A portion of that certain parcel of land known as Tax Parcel Number 053-01018000 according to the system of numbering tax parcels in Henry County, Georgia, more particularly described as follows:

[Attach legal description for 158.65 acres]

EXHIBIT "B"

SITE PLAN

EXHIBIT "C"

SIGN PLAN

EXHIBIT "D"

BUILDING PLANS AND SPECIFICATIONS



City of Stockbridge Planning & Zoning

AX16-49

Applicant: Yee C. Chen/Estate of Guey L. Chen & The Marital Trust

Agent: Jeff R. Grant

Location: 2153 Jodeco Road

Parcel ID(s): 053-01018000

Request: Annexation through the 100% method.

Lot Size: 158.65 +/- Acres

Zoning History: The subject property is currently zoned RA (Residential Agricultural).

Current Land Use: Vacant

Future Land Use: Mixed Use & High Density Residential

Proposed Use /Purpose: PTD (Planned Town Development)

Table 1.0 Current Zoning and Land Use of Surrounding Properties

Current Zoning		Current Land Use
North	C2 (General Commercial) and C3 (Highway Commercial)	Vacant
East	C2 (General Commercial) and R3 (Single Family Residential)	Interstate and Restaurant and Single Family Homes
South	RA (Residential Agricultural), R1 (Single Family Residential), C2 (General Commercial), and C3 (Highway Commercial)	Single Family Residences, Campground and Church
West	RA (Residential Agricultural)	Church and HCWSA Property

Source: Henry County Zoning Map

Estimated Costs of Future Municipal Services:

- Items are yet to be determined, will be contingent on future development of subject property.

Executive Summary:

Representatives of the *Yee C. Chen/Estate of Guey L. Chen & The Marital Trust* have submitted a request for their property to be annexed into the City limits. Additionally, the property is requested to be rezoned from RA to PTD for a mixed-use development.

Attachments:

- HCTA Map
- Annexation Application Packet



CITY OF STOCKBRIDGE | APPLICATION FOR ANNEXATION

4640 North Henry Boulevard
Stockbridge, GA 30281
Phone: (770) 389-7900
Fax: (770) 389-7912

Annexation No: AX16-49 Date: 11-10-2016

RECEIVED

Received by: Tamara Holiday

NOV 10 2016

TYPE OF ANNEXATION

City Clerk's Office
City of Stockbridge

- ☐ **60% Method:** Petitioners owning at least 60% of the property in the area to be annexed, and at least 60% of the voters in an area, may seek to have their property annexed into an adjacent city.
- ☒ **100% Method:** Property owners of all the land in an area may seek to have their property annexed into an adjacent city by signing a petition.

Property Address: 2153 JODECO ROAD TAX MAP 053-01018000

Is this property contiguous to the city limits? ☐ Yes ☐ No

LAND USE AND ZONING

County: HENRY

County Zoning Classification: RA

Present Land Use: _____

Requested Zoning Classification: PTD CITY OF STOCKBRIDGE

PROPERTY OWNER

Name: SOPHIE SIM
MICHAEL CHEN
ESTATE OF YEE C. CHEN

Mailing Address: 1378 BRANNAN ROAD McDONOUGH, GA. 30253

Telephone: (404) 925-3917

Email: TERANT@SOUTHERNCONSULTINGLLC.COM

Signature: Jeff Grant

Date: 11-10-16

* If this application is submitted pursuant to the 60% Method, please attach additional names, signatures, addresses, dates of signature, and elector/landowners information on a separate sheet.

APPLICANT

Name: JEFF R GRANT

Mailing Address: P.O. BOX 1274 STOCKBRIDGE, GA. 30281

Telephone: (404) 925-3917

Email: TERANT@SOUTHERNCONSULTINGLLC.COM

Signature: Jeff Grant

Date: 11-10-16

Signature: [Signature]

PLEASE DO NOT WRITE BELOW THIS LINE -- OFFICE USE ONLY

Date: 11/10/2016



CITY OF STOCKBRIDGE | ANNEXATION CHECKLIST

4640 North Henry Boulevard
Stockbridge, GA 30281
Phone: (770) 389-7900
Fax: (770) 389-7912

☒ **NON-REFUNDABLE APPLICATION FEE - \$50.00**

Payment: Check or Money Order Payable to the City of Stockbridge.

☒ **APPLICATION FORM**

Two Original (2) Copies: Complete and signed with original signatures.

☒ **PETITION FOR ANNEXATION**

Two (2) Original Copies: The Annexation Petitions must be notarized and signed by the owner or authorized applicant. (The petition for the 60% Method must clearly indicate if the applicant is an elector or a landowner.)

☒ **CONSENT OF OWNER(S)**

Original: If the property owner does not sign the application and/or petition, submit a notarized affidavit signifying the approval or consent of all owners. (An affidavit form is attached.) Use additional affidavits, if necessary, for multiple owners.

☒ **PLAT OF SURVEY AND/OR LEGAL DESCRIPTION**

Original and One (1) copy - Submit an accurate, as-built survey showing all improvements on the site, to scale. The survey must be completed by a registered surveyor and must be reproducible. If a photocopy is submitted, the original seal must be visible and the survey must still be to scale. The survey must not be more the 1 year old.

☐ **VERIFIED LEGAL DESCRIPTION FORM**

Original and One (1) Copy - Submit one original, signed copy of the verified legal description form and 1 copy. Forms should be typed and include acreage. If the legal description does not fit on one form, additional forms shall be used and numbered accordingly.



CITY OF STOCKBRIDGE | OWNER'S AUTHORIZATION

4640 North Henry Boulevard
Stockbridge, GA 30281
Phone: (770) 389-7900
Fax: (770) 389-7912

The undersigned below, or as attached, is the owner of the property that is the subject of this application. The undersigned does duly authorize the applicant named below to act as applicant in the pursuit of an annexation of the property.

Name:

YEE C. CHEN ESTATE

Property Address: 2153 JODECO ROAD TAX MAP 053-01018000

Telephone: (404) 925-3917

Email: JGRANT@SOUTHERNCONSULTINGLLC.COM

I swear that I am the owner of the property that is the subject matter of the attached application, as it is shown in the records of Henry County, Georgia.

Signature:

Jeff R. Grant

Date:

11-10-16

Personally appeared before me

JEFF R. GRANT

Who swears the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Randi Rainey
Notary Public

11-10-16
Date



Print

EXHIBIT "A"

A portion of that certain parcel of land known as Tax Parcel Number 053-01018000 according to the system of numbering tax parcels in Henry County, Georgia, more particularly described as follows:

[Attach legal description for 158.65 acres]

[illegible][illegible][illegible][illegible]

אנחנו מציעים לך להצטרף אלינו כחבר מייסד. אתה תוכל להשתתף בהחלטות חשובות על עתיד החברה, ואתה תוכל גם להרוויח כסף. אתה תוכל גם להרוויח כסף. אתה תוכל גם להרוויח כסף.

It is also important to note that the use of the term "cognitive" is not meant to imply that the model is purely cognitive. The model is a *holistic* model, meaning that it takes into account the whole person, including the body, mind, and spirit. The model is also a *dynamic* model, meaning that it recognizes that the person is constantly changing and growing. The model is also a *relational* model, meaning that it recognizes that the person is always in relationship with others and the world. The model is also a *practical* model, meaning that it is designed to be used in the real world. The model is also a *flexible* model, meaning that it can be adapted to different situations and cultures. The model is also a *holistic* model, meaning that it takes into account the whole person, including the body, mind, and spirit. The model is also a *dynamic* model, meaning that it recognizes that the person is constantly changing and growing. The model is also a *relational* model, meaning that it recognizes that the person is always in relationship with others and the world. The model is also a *practical* model, meaning that it is designed to be used in the real world. The model is also a *flexible* model, meaning that it can be adapted to different situations and cultures.

התורה והנבואה נחלקים לשלושה חלקים: תורה ונבואה ופסוקי דשירה. התורה היא המצוות וההלכות, הנבואה היא הדיבורים של הנביאים, ופסוקי דשירה הם השירים והמזמורים.

I hereby certify that the information on this report is true and correct to the best of my knowledge and belief, and that I am a duly qualified person to make such a statement. I am not aware of any other person who is qualified to make such a statement. I am not aware of any other person who is qualified to make such a statement. I am not aware of any other person who is qualified to make such a statement.

Signature of _____ Date: 1-22-16

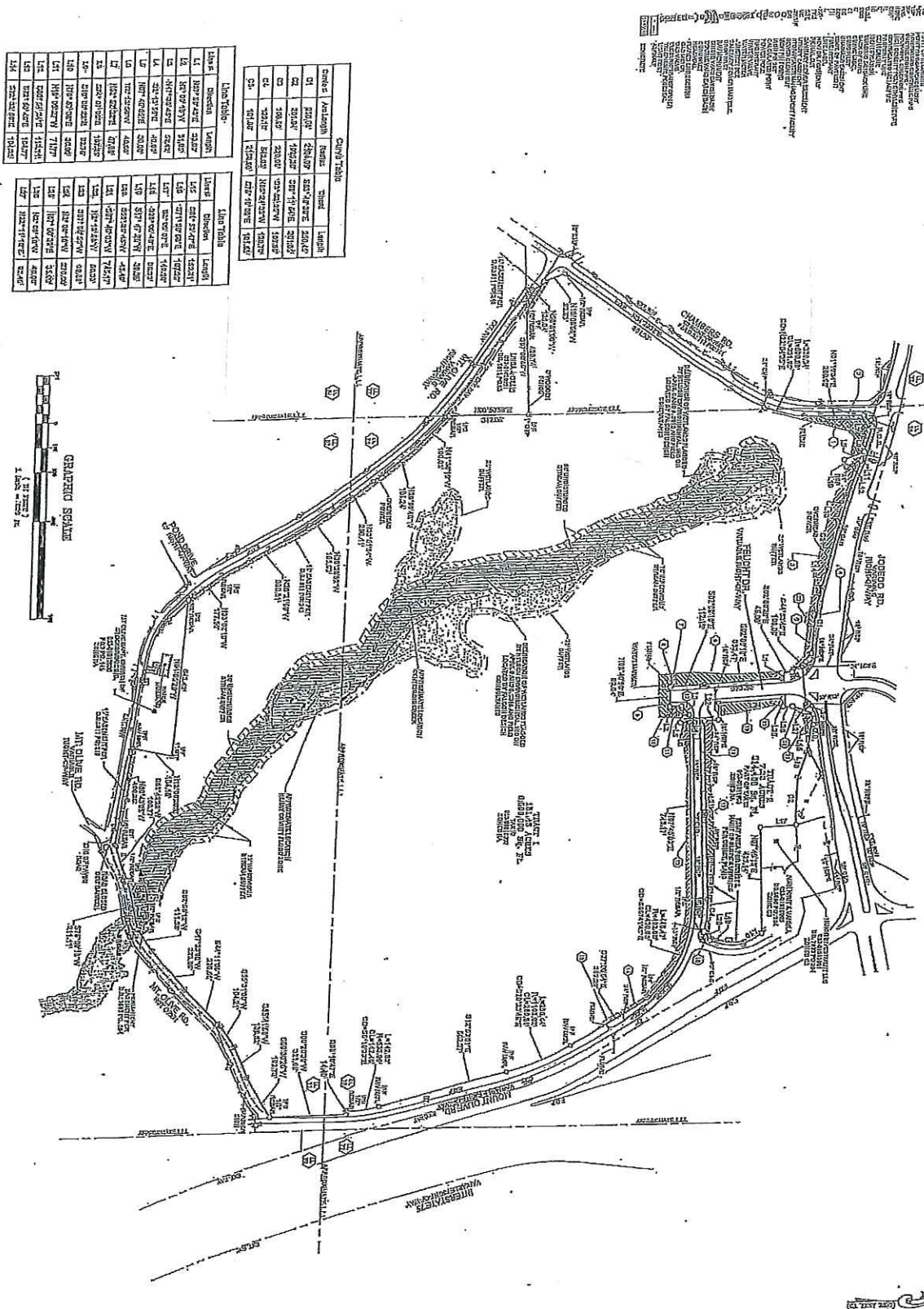
Printed Name: _____

Title: _____

OF 2

SHEET NUMBER
1 OF 2

ALTA/ACSM SURVEY FOR:
 BODEGA BAY, LLC AND FIDELITY NATIONAL
 TITLE INSURANCE COMPANY
 LAND LOTS 77, 78 & 83 6th DISTRICT
 HENRY COUNTY, GEORGIA



Lot	Area	Acres
77	100.00	2.28
78	100.00	2.28
83	100.00	2.28

Lot	Area	Acres
77	100.00	2.28
78	100.00	2.28
83	100.00	2.28

Station	Point	Description
1	100.00	2.28
2	100.00	2.28
3	100.00	2.28
4	100.00	2.28
5	100.00	2.28
6	100.00	2.28
7	100.00	2.28
8	100.00	2.28
9	100.00	2.28
10	100.00	2.28
11	100.00	2.28
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92	100.00	2.28
93	100.00	2.28
94	100.00	2.28
95	100.00	2.28
96	100.00	2.28
97	100.00	2.28
98	100.00	2.28
99	100.00	2.28
100	100.00	2.28

REVISIONS

No.	Description
1	Initial Survey
2	Final Survey

ALTA/ACSM SURVEY FOR:
 BODEGA BAY, LLC AND
 FIDELITY NATIONAL
 INSURANCE COMPANY
 LAND LOTS 77, 78 & 83 6th DISTRICT
 HENRY COUNTY, GEORGIA

RAICON DESIGN
 ENGINEERING & SURVEYING
 10000 N. 10th Ave. Suite 100
 Phoenix, AZ 85020
 (602) 998-1000
 www.raicon.com

2 OF 2

EXHIBIT A
 PAGE 2 OF 2

2 OF 2

EXHIBIT "B"

SITE PLAN

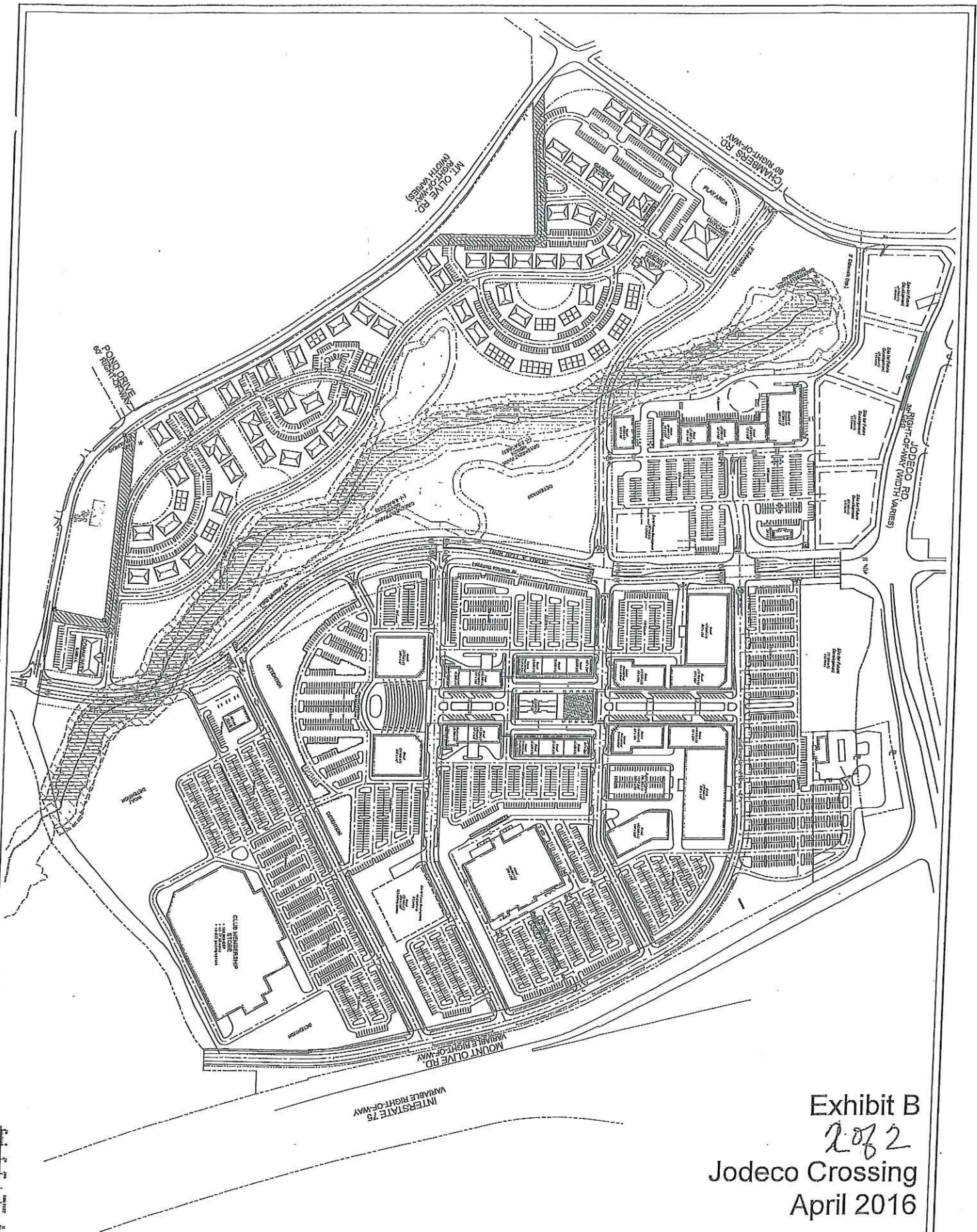


Exhibit B
 2 of 2
 Jodeco Crossing
 April 2016

Jodeco Crossing
 Henry County, Atlanta, Georgia
 RCP Companies
 4245 Baltimore Drive
 Suite 204
 Huntsville, Alabama
 April 2016

2 PLOT PLAN
 PREPARED BY
 URBAN DESIGN ASSOCIATES
 1111 11th Avenue, Suite 100
 Atlanta, Georgia 30309
 TEL: 404.525.5555
 FAX: 404.525.5556
 URBANDESIGNASSOCIATES.COM

URBAN DESIGN ASSOCIATES
 Falcon Design Consultants
 La Quatra Bonci and Associates



Exhibit B
 1082
 Jodeco Crossing
 April 2016

Jodeco
 Henry County, Atlanta, Georgia
 RCP Companies
 4245 Belmont Drive
 Suite 204
 Huntsville, Alabama

3000 34227
 3100 34227
 3100 34227
 3100 34227
 3100 34227

URBAN DESIGN ASSOCIATES
 Falcon Design Consultants
 La Quatra Bonci and Associates

DATE: April 2016
 SCALE: 1" = 100'
 PROJECT: Jodeco Crossing
 UDA # 2228